

Order

Michigan Supreme Court
Lansing, Michigan

October 13, 2005

Clifford W. Taylor,
Chief Justice

128120

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

CARMEN Y. BURGIE,
Plaintiff-Appellant,

v

SC: 128120
COA: 250666
Ingham CC: 02-000300-NI

ROBIN M. LILEIKIS and CATHERINE
LILEIKIS,
Defendants,

and

CAPITAL AREA TRANSPORTATION
AUTHORITY, DAVID R. ROBINSON, JOHN
L. WINGO, and SANDY RIOS,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the February 10, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

CAVANAGH, J., would grant leave to appeal.

KELLY, J., would grant leave to appeal because she believes the Court of Appeals misconstrued *Robinson v Detroit*, 462 Mich 439 (2000), and failed to properly view the facts in the light most favorable to the plaintiff, as is required in summary disposition motions.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 13, 2005

Corbin R. Davis

Clerk